GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR &RD Department - Allegation of irregularities in the execution of CC road works at Kummapalli (GP), Singarai (GP), Chamalapalli (GP) and Vallampudi (GP) of Vepada (M), Vizianagaram District – Disciplinary proceedings initiated against Sri Y.V. Sastry, Executive Engineer, PRI Division, Vizianagaram District (Now Retd.) – Charges held proved in the Regular Enquiry – Representation received - Imposing a penalty of 3% cut in pension for a period of two (2) years under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

---

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

**G.O.RT.No. 587** **Dated: 15-10-2020.**

Read the following :

1. From GA (V&E) Deptt., Vigilance Report No.42 (C.No.876, 1299, 1486/V&E/E1/2016), Dt.05.06.2017.
2. G.O.Rt.Nos.386 & 389, PR&RD (Vig.I) Department, Dt.07.05.2018.
3. From ENC, PR, AP, Lr.No.Vig.I(1)/814971/2017, Dt.27.08.2018.
4. G.O.Rt.No.21, PR&RD (Vig.I) Department, Dt.07.01.2019.
5. G.O.Rt.No.22, PR&R (Vig. I) Department, Dt: 07.01.2019.
6. G.O.Rt.No.327, PR&RD (Vig.I) Deptt., Dt.15.04.2019.
7. From Superintending Engineer, Panchayat Raj, Vizianagaram Dist., Letter.Rc.No.33/2019/A1, Dt.15.07.2019.
8. Govt.Memo.No.6045/Vig.I/2007, PR&RD (Vig.I) Department, Dt.15.10.2019.
9. From the ENC, PR, Lr.No.Vig.I(1)/814791/2017, dt:03.01.2020
10. Govt.Memo.No.6045/Vig.I/2007, PR&RD (Vig.I) Department, Dt.16.06.2020.
11. From Sri Y.V. Sastry, Executive Engineer (PR) (Retd.), Vizianagaram, representation dt: 30.06.2020.
12. Govt. letter No.6045/Vig. I/2017, PR&RD (Vig. I) Dept., Dt:06.08.2020.
13. From the Secretary, APPSC, No. 300/DC&C/2020, dt: 05.10.2020.

*****

O R D E R:

In the reference 2nd read above, Government initiated disciplinary proceedings against Sri Y.V. Sastry, Executive Engineer, PRI Division, Vizianagaram District by framing following article of charge for committing certain allegations of irregularities in the

P.T.O.,

execution of CC road works at Kummapalli (GP), Singarai (GP), Chamalapalli (GP) and Vallampudi (GP) of Vepada (M), Vizianagaram District, with a direction to the Charged Officer to submit his WSD.

Charge :-

That Sri Y.V.Sastry, EE, PRI Division, Vizianagaram District has misused his official position and committed certain irregularities in execution of CC road works at Kummapalli (GP), Singarai(GP), Chamalapalli (GP) and Vallampudi (GP) of Vepada Mandal, Vizianagaram District resulting inferior quality of work and caused loss to the Government to a tune of Rs.14,70,374/- (Rs.7,95,121/- + 65,328/- + Rs.4,73,177/- + 1,36,748/-),

2. In the reference 3rd read above, the Engineer in Chief, Panchayat Raj, AP, Vijayawada, has forwarded the written statement of defence of Sri Y.V. Sastry, Executive Engineer, PRI Division, Vizianagaram District dt: .06.2018.

3. Government have not satisfied with the Written Statement Defence submitted by Charged Officer and decided to conduct regular enquiry into the matter against the charged officer Sri Y.V. Sastry, Executive Engineer (PR) including against two (2) other co-charged officers involved in the case. Accordingly, in the reference 4th read above, Government appointed Sri M. Krishna Reddy, Superintendent Engineer, Panchayat Raj, Vizianagaram District, as the Inquiry Authority to conduct enquiry into matter. The Executive Engineer, PRI Division, Vizianagaram has been appointed as the Presenting Officer to present the case before the Inquiring Authority on behalf of the disciplinary authority, vide reference 5th read above. Subsequently, Government appointed the Superintending Engineer, PR, Vizianagaram (by designation) as Inquiring Authority to conduct inquiry into the matter vide reference 6th read above, since Sri M. Krishna Reddy, S.E, PR, Vizianagaram & E.O was transferred to W.G. District.

4. In the reference 7th read above, the Superintending Engineer, PR, Vizianagaram & Inquiring Authority has submitted inquiry report dt:15.07.2019, wherein the Inquiring Authority held that charges are held proved against Charged Officer Sri Y.V. Sastry, Executive Engineer (PR)

5. In the reference 8th read above, Government have communicated copy of the inquiry report to the charged officer for his representation on the findings of the Inquiry Officer.

6. In the reference 9th read above, the Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada has furnished representation dt:11.12.2019 of Sri Y.V. Sastry, Executive Engineer (PR)(Retired)

Contd..P.3.,

wherein the Charged Officer has stated that the deviations / deficiencies pointed by the Vigilance & Enforcement on all the works ie, Rs.14,70,374/-was recovered from the respective Gram Panchayats and remitted to Government account and thus there is no loss. Further, the Presenting Officer has furnished satisfaction report over the work executed and road works executed are still intact and utility. He has stated that quite number of works under MGNREGS scheme have been taken up simultaneously at that time on time bound basis and he had taken adequate care in execution of works. The works were executed through the Sarpanches and the Sarpanches not having adequate technical knowledge and thus certain deficiencies were found, but not due to negligence of departmental officers. The Charged Officer has stated that he was retired from service and requested to consider his representations and drop further action against him by taking a lenient view

7. Government have examined the matter and observe that the charged officer being the supervisory officer and overall incharge of the works, should have taken utmost care while executing the works. The Vigilance & Enforcement conducted inspection over the works and pointed out various deficiencies in the works causing loss to Government. After such inspection by the Vigilance only, the recoveries made good and hence, the contention of the Charged Officer that there is no loss to Govt. is not tenable and he is not absolved from the charge proved. The charged officer failed to discharge his legitimate duties and responsible. Hence, his contention to drop further action by taking a lenient is devoid of merits.

8. In view of the above, Government after examination of the matter, have taken a provisional decision to impose a penalty of 3% cut in pension for a period of two (2) years against Sri Y.V. Sastry, Executive Engineer (PR)(Retired) under Rule 9 of A.P Revised Pension Rules, 1980. Accordingly, in the above reference 10$^{th}$ read above, Government have communicated the above provisional decision to the charged officer calling for his representation if any in the matter. In reply to this Sri Y.V. Sastry, Executive Engineer (PR)(Retd.) has submitted his representation reiterating his earlier contents and requested to drop the proposed punishment of 3% cut in pension for a period of two years against him by taking a lenient view.

9. Government have examined the representation of the Charged Officer and decided to proceed further with the above proposed penalty as he did not submit any new grounds for consideration and accordingly addressed the A.P. Public Service Commission for their concurrence vide references 12$^{th}$ read above.

10. In the reference 13$^{th}$ read above, the Secretary, A.P. Public Service Commission has communicated the consent of the Commission to impose the above penalty against the charged officer and advised to take action accordingly.

P.T.O.,

11. Government, after careful examination of the matter, hereby impose the penalty of 3% cut in pension for a period of two (2) years against Sri Y.V. Sastry, former Executive Engineer, PRI Division, Vizianagaram District (now Retired) under Rule 9 of A.P. Revised Pension Rules, 1980 in the matter.

12. The Engineer-in-Chef, Panchayat Raj, A.P, Vijayawada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Y.V. Sastry, former Executive Engineer, PRI Division, Vizianagaram District (now Retired)
**through** the Engineer in Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada (with a request to serve the order on the individual and furnish the served copy)

**Copy to:**
The Secretary to Vigilance Commission, Andhra Pradesh Vigilance Commission, Velagapudi.
The Secretary, A.P. Public Service Commission, Vijayawada.
The Accountant General, A.P, Hyderabad.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER